



IFW

# TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

<b>Application No.</b>	10/815,330		
	<b>Filing Date</b>	3/31/2004	
	<b>First Named Inventor</b>	Dennis R. Berman	
	<b>Group Art Unit</b>	3714	
	<b>Examiner Name</b>	Unknown	
<b>Total Number of Pages in this Submission:</b>	4	<b>Attorney Docket No.</b>	TRV00-0001-R-1

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement and PTO Form 1449 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts Notice/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers for Application <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address <input type="checkbox"/> Petition <input type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Power of Attorney by Assignee, with Revocation of Former Powers <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Credit Card Payment Form PTO-2038	<input type="checkbox"/> Fee Address Indication Form <input type="checkbox"/> After-Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Status Inquiry <input type="checkbox"/> Response to Official Action mailed <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Additional Enclosure(s):
Remarks:		

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

<b>Name</b>	Hoyt A. Fleming III	<b>Customer Number:</b> 28422	<b>Date</b>	9/23/2004
<b>Signature</b>			<b>Telephone</b>	(208) 336-5237
<b>Address</b>	Park, Vaughan & Fleming LLP, P.O. Box 140678, Boise, ID 83714		<b>Facsimile</b>	(208) 342-5363

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the U. S. Postal Service as ☐ Express Mail or ☒ First Class Mail in an envelope addressed to: Mail Stop Patent Application; Commissioner for Patents; P.O. Box 1450; Alexandria, VA 22313-1450 on 9/23/2004.

<b>Type or Printed Name</b>	Teresa A. Fleming	<b>Signature</b>	
-----------------------------	-------------------	------------------	--



I hereby certify that this correspondence is being deposited on the date indicated below with the U.S. Postal Service with sufficient postage as first class mail addressed to:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450.

By: \_\_\_\_\_

Typed Name: Teresa A. Fleming

Date of Deposit: 9/23/2004

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97**

**Inventors:** Dennis R. Berman  
**Title:** LOCK-IN TRAINING SYSTEM  
**Filing Date:** 3/31/2004  
**Serial Number:** 10/815,330  
**Group Art Unit:** 3714  
**Examiner:** Unknown

On an enclosed Form PTO-1449 is information known to applicant(s) and submitted pursuant to 37 C.F.R. § 1.56. A copy of each listed publication and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. § 1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. The Examiner is requested to initial and return the enclosed Form PTO-1449 in accordance with MPEP § 609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56.

☒ This statement qualifies under 37 C.F.R. § 1.97, subsection (b) because (check all that apply):

- ☐ (1) It is being filed within 3 months of the application filing date  
-- OR --  
☐ (2) It is being filed within 3 months of entry of a national stage  
-- OR --  
☒ (3) It is being filed before the mail date of the first Office Action on the merits.

☐ 37 C.F.R. § 1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in § 1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but

before the mailing date of the earlier of a final office action under § 1.113 or a notice of allowance under § 1.311, then:

- ☐ a certification as specified in § 1.97(e) is provided below; **or**
- ☐ a fee of \$180.00 as set forth in § 1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. § 1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under § 1.113 or a notice of allowance under § 1.311, but before payment of the issue fee, then:
- A. a certification as specified in § 1.97(e) is completed below; **and**
- B. a petition under 37 C.F.R. § 1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$180.00 as set forth in § 1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ Statement under 37 C.F.R. § 1.97(e) - I hereby certify that either: each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the information disclosure statement; or no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Respectfully submitted,

Name: Hoyt A. Fleming III  
Reg. No.: 41,752

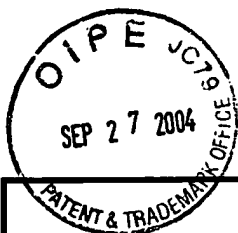
Signature: \_\_\_\_\_



Date: 9/23/2004

Park, Vaughan & Fleming LLP  
P.O. Box 140678  
Boise, ID 83714  
(208) 336-5237

**28422**



# **INFORMATION DISCLOSURE CITATION**

**PTO-1449**

## **Complete if Known**

<b>Application No.</b>	10/815,330
<b>Filing Date</b>	3/31/2004
<b>First Named Inventor</b>	Dennis R. Berman
<b>Group Art Unit</b>	3714
<b>Atty. Docket No.</b>	TRV00-0001-R-1

## **U.S. PATENT DOCUMENTS**

EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	3,566,482	03/02/71	Morchand			10/24/68
	3,606,688	09/24/71	Zawels et al.			07/11/69
	3,671,668	06/20/72	Reiffel			11/18/68
	3,715,811	02/13/73	Thompson et al.	434	310	10/13/70
	4,289,313	09/15/81	Delamontagne	273	256	09/07/79
	4,416,454	11/22/83	Delamontagne	273	243	07/02/81
	4,895,518	01/23/90	Arnold et al.	434	118	11/02/87
	5,033,969	07/23/91	Kamimura	434	322	03/13/90
	5,112,064	05/12/92	Weedman	273	429	12/19/90
	5,246,375	09/21/93	Goede	434	236	11/15/91
	5,314,340	05/24/94	Gaddis	434	327	10/30/90
	5,511,793	04/30/96	Watt	273	260	06/08/92
	5,540,589	07/30/96	Waters	434	156	04/11/94
	5,632,624	05/27/97	Cameron et al.	434	322	09/22/93
	5,749,736	05/12/98	Griswold et al.	434	322	05/31/96
	5,863,208	01/26/99	Ho et al.	434	362	07/02/96
	5,885,087	03/23/99	Thomas	434	323	03/03/97
	6,077,085	06/20/00	Parry et al.	434	322	05/19/98
	6,086,382	07/11/00	Thomas	434	323	02/22/99
	6,461,166	10/08/02	Berman	434	323	10/17/00

## **OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

CROWDER, NORMAN A., Arithmetic of Computers. An Introduction to Binary and Octal Mathematics. A Tutor Text, 1958, pp i-iv and 1-18, Doubleday & Company, Garden City, NY.

**EXAMINER**

**DATE CONSIDERED**

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.